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> HEWLETT-PACKARD COMPANY Intellectual Property Administration P. O. Box 272400 Fort Collins, Colorado 80527-2400

PATENT APPLICATION

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Inventor(s):

D. Torrney et al.

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Application No.: 09/973,156

Examiner: John A. Lane

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Group Art Unit: 2188

Title:

Stack Utilization Management System and Method for a Single-Stack Arrangement

Commissioner for Patents PO Box 1450 Alexandria, VA 22313-1450 FFICIAL

TERMINAL DISCLAMER RESPONSIVE TO A PROVISIONAL DOUBLE PATENTING REJECTION

Sir:

01 FC:1814

Petitioner, Hewlett-Packard Development Company, L.P. is the owner of 100 percent interest in the Instant application. Petitioner hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the Instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. 154 to 156 and 173 as shortened by any terminal disclaimer filed prior to the grant of any patent granted on pending second Application , Petitioner hereby agrees that any patent so Number 09/973,665 filed on 10/09/01 granted on the instant application shall be enforceable only for and during such period that it and any patent granted on the second application are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, petitioner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 to 156 and 173 of any patent granted on the second application, as shortened by any terminal disclaimer filed prior to the patent grant, in the event that any such granted patent: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid 09/10/2004 DMYByTa court of competent jurisdiction. Is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321, has all claims canceled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as shortened by any terminal disclaimer filed prior to its grant.

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> I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

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PAGE 16/17 * RCVD AT 6/24/2004 11:29:17 AM [Eastern Daylight Time] * SVR:USPTO-EFXRF-1/1 * DNIS:8729306 * CSID:2143638177 * DURATION (mm-ss):04-46